

Senate File 381 - Introduced

SENATE FILE _____
BY BEALL

(COMPANION TO LSB 2234HH
BY D. OLSON)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to accommodations by employers for court-ordered
2 visitation.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2234SS 83
5 pf/nh/8

PAG LIN

1 1 Section 1. NEW SECTION. 598.41D CUSTODY ORDERS ==
1 2 ACCOMMODATIONS BY EMPLOYER.
1 3 1. As used in this section, unless the context otherwise
1 4 requires:
1 5 a. "Employee organization" means employee organization as
1 6 defined in section 20.3.
1 7 b. "Employer" means any of the following:
1 8 (1) A person engaged in commerce or in any industry or
1 9 activity affecting commerce who employs fifty or more
1 10 employees for each working day during each of twenty or more
1 11 calendar work weeks in the current or preceding calendar year.
1 12 (2) A person who acts, directly or indirectly, in the
1 13 interest of an employer to any of the employees of such an
1 14 employer.
1 15 (3) A successor in interest of an employer.
1 16 (4) A public employer.
1 17 c. "Public employee" means public employee as defined in
1 18 section 20.3.
1 19 d. "Public employer" means public employer as defined in
1 20 section 20.3.
1 21 2. a. A parent granted visitation pursuant to a court
1 22 order under this chapter shall provide the parent's employer
1 23 with a copy of the visitation schedule if such visitation
1 24 schedule conflicts with the parent's regularly scheduled hours
1 25 of employment, and the parent would like to exercise the
1 26 visitation schedule as provided under the court order.
1 27 b. Upon receipt of the visitation schedule the employer
1 28 and employee shall do one of the following, as applicable to
1 29 the situation:
1 30 (1) Agree to an alternative to the parent's regularly
1 31 scheduled hours of employment. If the parent is a public
1 32 employee or is an employee subject to a collective bargaining
1 33 agreement, the parent may utilize an employee organization or
1 34 a collective bargaining agent to negotiate an alternative
1 35 schedule.
2 1 (2) If an alternative to the parent's regularly scheduled
2 2 hours of employment is not agreed to, the employer shall allow
2 3 the parent to exercise visitation in accordance with the
2 4 visitation schedule.
2 5 c. An employer shall not terminate the parent's
2 6 employment, reduce the parent's pay, or take any other similar
2 7 adverse action against the parent for exercising visitation in
2 8 accordance with the court order.
2 9 EXPLANATION
2 10 This bill relates to employer accommodation of parents to
2 11 allow parents to exercise visitation schedule provisions under
2 12 a custody order. The bill applies to employers that employ 50
2 13 or more employees for each working day during each of 20 or
2 14 more calendar work weeks in a calendar year, public employers,
2 15 and successors in interest of employers.

2 16 The bill provides that a parent who is granted visitation
2 17 pursuant to a court order shall provide the parent's employer
2 18 with a copy of the visitation schedule if such visitation
2 19 schedule conflicts with the parent's regularly scheduled hours
2 20 of employment, and the parent would like to exercise the
2 21 visitation schedule as provided under the court order.
2 22 Once the employer receives the visitation schedule, the
2 23 bill provides options for the employer and employee. Either
2 24 the employer and employee can agree to an alternative to the
2 25 parent's regularly scheduled hours of employment, which may be
2 26 negotiated by a collective bargaining agent if applicable to
2 27 the employee, or if an alternative to the parent's regularly
2 28 scheduled hours of employment is not agreed to, the employer
2 29 shall allow the parent to exercise visitation in accordance
2 30 with the visitation schedule.
2 31 The bill also prohibits an employer from terminating the
2 32 parent's employment, reducing the parent's pay, or taking any
2 33 other similar adverse action against the parent for exercising
2 34 visitation in accordance with the court order.
2 35 LSB 2234SS 83
3 1 pf/nh/8